

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 09-7544 SVW (DTBx)	Date	June 23, 2010
Title	Capital One Auto Finance Inc. v. Bosch Auto Center, Inc. et al.		

Present: The Honorable	STEPHEN V. WILSON, U.S. DISTRICT JUDGE
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Paul M. Cruz

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

N/A

N/A

Proceedings: IN CHAMBERS ORDER TO SHOW CAUSE BY JULY 12, 2010 WHY THIS CASE SHOULD NOT BE DISMISSED FOR LACK OF PROSECUTION

Plaintiff filed the Complaint in the above-titled action on October 16, 2009. A First Amended Complaint was filed on November 23, 2009, which terminated all Defendants with the exception of Bosch Auto Center, Inc. d/b/a Fontana's Bosch Auto Center ("Bosch" or "Defendant"). Bosch was served on December 3, 2009 and failed to timely answer the Complaint. The Clerk of the Court entered default against Bosch on March 1, 2010. On April 13, 2010, Plaintiff filed an application with the Court Clerk requesting a default judgment for a stipulated sum against Bosch. The application was stricken by the Court Clerk on April 15, 2010 as not being the type of judgment the clerk is authorized to process. Thereafter, Plaintiff made no further motions for default judgment, and the case has not moved forward.

Accordingly, the Court orders Plaintiff to show cause no later than July 12, 2010 why this case should not be dismissed against Bosch for lack of prosecution. Alternatively, the Court will accept the filing of a noticed motion for default judgment against Bosch directed to the Court by that date.

Initials of Preparer

PMC